



ET-18316

September 15, 2010

Astor F. Boozer
State Conservationist
United States Department of Agriculture
Natural Resources Conservation Services
441 South Salinas Street
Suite 354
Syracuse, New York 13202-2450

Re: U S Rail Corporation-Construction and Operation Exemption-Brookhaven Rail Terminal-
STB Docket No. FD 35141

Dear Mr. Boozer:

Confirming my telephone message to you of September 13, 2010, I am the legal counsel to the Brookhaven Rail Terminal ("BRT") project. As you may know, on September 9, 2010, the Surface Transportation Board ("STB") authorized the construction and operation of the BRT with the directive, among other environmental mitigation measures, to consult with your offices and consider, in the project's final site plan, NCRS practices to improve the successful establishment, long term survival and future functional value of new plantings at the BRT.

We welcome this opportunity to initiate the contemplated consultation process with NCRS and to consider NCRS recommendations for appropriate vegetation and practices to be used at the BRT. We intend to engage in the near future a landscape architect to finalize the vegetation plan for the project and will advise our architect to consult with you or your staff, as you direct, about the appropriate vegetation selections and ongoing practices which will meet the goals of successful establishment, survival and functionality of new plantings contemplated by the STB and your agency's comments to the STB.

We look forward to working with NCRS in implementing the environmental mitigation measures outlined in the STB's decision.

Very truly yours,

A handwritten signature in black ink, appearing to read "Gerard T. Drumm", is written over a horizontal line. The signature is fluid and cursive.

Gerard T. Drumm

cc: Troy Brady
Mark Cuthbertson
Robert Ryback
James H.M. Savage, Esq.

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